

Chapter 13.08  
SANITARY SEWER RATES

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**13.08.010 Establishment of sewer user charges.** It is determined and declared to be necessary and conducive to the protection of the public health, safety, welfare and convenience of the city to collect charges, rates or user fees from all persons owning, or to levy for same upon, all lots, parcels of real estate or buildings that are connected directly or indirectly with the public sewer system by or through any part of such sewage system of the city or that in any way use such public sewer system; the proceeds of such charge or fees so derived to be used for the purpose of operating, maintaining and repairing such public sewer system. (Ord. 2011-0739; S-39109, 1979).

**13.08.020 Definitions.** The following terms shall have the following meanings when used in this chapter:

1. "Biological oxygen demand" (BOD) means the quantity of oxygen utilized in the oxidation of organic matter under standard laboratory procedure in five days at 20 C and results are expressed in milligrams per liter.
2. "Bypass" means the intentional diversion of wastestreams from any portion of an Industrial User's treatment facility.
3. "Capital costs" means the unamortized principal costs for the existing and new treatment facilities remaining on June 30, 1978. Capital costs are financed by the issuance and sale of the sewer revenue bonds, covering the costs for the existing interceptor, outfall and outlet sewers, lift stations and treatment facilities as well as the new treatment facilities.
4. "Categorical Industrial User" means any contributor subject to 40 CFR 403.6 and 40 CFR chapter I, subchapter N.
5. "City" means the City of Sioux City, Iowa.
6. "Contributors" means any person, firm or corporation, except a significant industrial user, owning, renting or operating, any lot, parcel of real estate or buildings where liquid or solid waste, or sewage is produced which is discharged into the sewer system of the city.
7. "Delivery system" means and includes interceptor sewers, outfalls, outlet sewers and all lift stations used to transport sanitary sewer wastewater to the WWTP for treatment and disposal.
8. "Dilution" means increasing the use of process water, or in any other way attempting to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a Pretreatment Standard or Requirement.
9. "Direct discharge" means any contributor that discharges directly to the headworks of the City's WWTP and therefore does not utilize any of the lift stations and interceptor sewers maintained by the City.
10. "Director" means the Utilities Director of the City, or his/her authorized representative.
11. "Domestic-commercial user" means a contributor discharging less than twenty-five thousand gallons per day but more than domestic strength concentration.
12. "Domestic strength" means wastewater which has a total suspended solids (TSS) concentration less than three hundred parts per million (300 mg/L), a five-day biochemical oxygen demand (BOD) concentration less than two hundred fifty parts per million (250 mg/L), and a fats, oil and grease (FOG) concentration less than one hundred parts per million (100 mg/L).
13. "EPA" means the Environmental Protection Agency or its authorized representative.
14. "Extra strength" means discharges greater than domestic strength that have a TSS concentrations less than twelve hundred part per million (1200 mg/L), a BOD concentration less than two thousand parts per million (2000 mg/L), or an FOG concentration less than four hundred parts per million (400 mg/L).
15. "Flow unit" means a volume of liquid equal in quantity to one thousand gallons.
16. "FOG" means fats, oil and grease present in a contributors discharge measurable by standard laboratory extraction, and results are expressed in milligrams per liter.

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17. "Groundwater remediation" means wastewater generated in connection with investigating pollution or remediating polluted/contaminated groundwater or soil.

18. "IDNR" means the Iowa Department of Natural Resources or its authorized representative.

19. "Industrial User" means any contributor that discharges less than 25,000 gallons per day of process wastewater to the WWTP (excluding sanitary, noncontact cooling and boiler blowdown wastewater) which has a discharge concentration in excess of domestic strength.

20. "Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

a. Inhibits or disrupts the WWTP, its treatment processes or operations, or its sludge processes, use or disposal and,

b. Therefore is a cause of a violation of any requirement of the WWTP's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

21. "Monthly average" means the calculation by which billing and compliance will be determined. When applicable, monthly averages will be calculated using the total number of days in the calendar month for which the data represents.

22. "Outside Improvement District User" means Dakota Dunes Community Improvement District, a local governmental entity under SDCL §7-25A.

23. "Outside municipalities" means those incorporated city governments outside the corporate limits of Sioux City, Iowa. The outside municipalities are Dakota Dunes, South Dakota; North Sioux City, South Dakota; Sergeant Bluff, Iowa, and South Sioux City, Nebraska.

24. "Pass through" means a discharge which exits the WWTP into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the WWTP's NPDES permit (including an increase in the magnitude or duration of a violation).

25. "Prohibited" means to forbid an activity, action or discharge by authority or law.

26. "Public sewer" means a sewer which is controlled by the City of Sioux City.

27. "Sewage" means a combination of the water-carried waste from property to the WWTP for treatment and disposal.

28. "Sewer" means a pipe or conduit for carrying sewage and wastewater.

29. "Sanitary sewer" means the collection of pipes and trunk mains designed to carry sewage and wastewater from houses and businesses to the WWTP for treatment and disposal.

30. "Septic tank waste" means sewage collected from septic tanks or holding tanks by tank truck or similar conveyance delivered to the WWTP for treatment and disposal.

31. "Service charge" means a charge of seven percent of that part of the contributing city unit rate attributable to treatment of sewage and shall be for support services given WWTP by other departments of Sioux City administration, the cost of which is not reflected in either delivery costs or treatment costs. This charge also compensates for the burden of ultimate responsibility for assuring compliance with state and federal requirements governing treatment of wastes.

32. "Sewer user charge" refers to any and all rates, charges, fees or rentals levied against and payable by sewer service and significant industrial user.

33. "Shall" is mandatory.

34. "Significant Industrial User" means:

a. All Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N; and

(1) Any other Industrial User that: discharges an average of 25,000 gallons per day or more of process wastewater to the WWTP (excluding sanitary, noncontact cooling and boiler blowdown wastewater); contributes a process wastestream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the WWTP Treatment plant; or is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the WWTP's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

b. The Control Authority may determine that an Industrial User subject to categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR chapter I, subchapter N is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:

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(1) The Industrial User, prior to the Control Authority's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;

(2) The Industrial User annually submits the certification statement required in 40 CFR 403.12(q) together with any additional information necessary to support the certification statement; and

(3) The Industrial User never discharges any untreated concentrated wastewater.

c. Upon a finding that an Industrial User meeting the criteria in paragraph (45)(a) of this section has no reasonable potential for adversely affecting the WWTP's operation or for violating any Pretreatment Standards or requirement, the Control Authority may at any time, on its own initiative or in response to a petition received from an Industrial User or WWTP, and in accordance with 40 CFR 403.8(f)(6), determine that such Industrial User is not a Significant Industrial User.

35. "Slug Discharge" means any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the WWTP regulations, local limits or permit conditions.

36. "Surcharge strength" means any discharge which has a total suspended solids (TSS) concentration greater than twelve hundred parts per million (1200 mg/L), a five-day biochemical oxygen demand (BOD) concentration greater than two thousand parts per million (2000 mg/L), or a fats, oil and grease (FOG) concentration greater than four hundred parts per million (400 mg/L).

37. "Tier 1" means billing threshold set at extra strength discharge concentrations. 38. "Tier 2" means billing threshold set at surcharge strength discharge concentrations.

39. "Total suspended solids" (TSS) means the total suspended matter that floats on the surface of or is suspended in, water, wastewater, or other liquid that is removable by laboratory filtering. Results are expressed in milligrams per liter.

40. "User Charge Plan" means the plan adopted by the city council which establishes rates, rules and regulations for the operation and maintenance of the collection, delivery and treatment of the sewage generated in the metropolitan area of Sioux City, Iowa, as approved in accordance with special grant conditions of the IDNR and the EPA of the federal government or their successors. This user charge plan is subject to review and modification annually by the city council, the IDNR and EPA.

41. "WWTP" means the wastewater treatment plant owned and operated by the City of Sioux City. (Ord. 2013-0081; 2012-0257; 2011-0739; 2007-0407, 2006-0485, 98/U-6424; 90/T-9329; 83/T-2089; S-39109, 1979)

### 13.08.030 Management of sewer user funds.

1. Charges for operation, maintenance, replacement and capital charges shall consider, among other factors, for the actual usage of all classes of users.

2. Calculated unit-allocated charges which shall be deposited in the capital costs fund shall be such as will provide adequate revenues for the debt service requirement of capital costs. These funds are not interchangeable. Revenue collected from the operation, maintenance and replacement portion of the charges shall not be used to offset any portion of the capital costs, nor shall any revenue collected from the capital costs portion of the charges be used to offset any portion of the operation, maintenance and replacement costs.

3. Charges to all classes of users shall be established by ordinance, with ordinance rates adjusted periodically to reflect changes in costs.

4. The city manager shall have general supervision and direction of the expenditures of the moneys received under this chapter in the operation and maintenance of the sanitary sewer system of the City. (Ord. 2011-0739; 2006-0485; S-39109, 1979).

### 13.08.040 Sewer use regulations.

1. Except as hereinafter provided where special rates or charges may be established, every "contributor" shall pay to the city, at the office of the city treasurer and at the same time payment is due and payable for water service supplied to such premises by the water distribution system owned and operated by the city, a sewer user charge computed in accordance with the schedule set forth in Section 13.08.060, exclusive of any fees, taxes or other charges. Such sewer user charge shall be billed at the same time and in the same manner as water charges.

2. If any premises connected directly or indirectly to the sanitary sewer system of the city obtains a part or all of the water used or consumed thereon from a source or sources of supply other than the water distribution system owned and operated by the city, the sewer user charge for such property shall be computed in accordance with the schedule set forth in Section 13.08.060 during the period for which charges shall be billed. Sewer user charges computed as provided in this subsection shall be billed and be payable at the same time and place in the same manner as would be the case if all water used on such premises were obtained from the city water distribution system. For the purpose of determining sewer user charges under this subsection, each contributor to the city's sanitary sewer system shall, at his/her own expense, cause all sources of water, other than the city's water distribution system to be properly metered and provide access to such meter or meters to authorized representatives of the city for the purpose of examination, testing and reading. If the Director approves the adequacy of such metering and the

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method of installation thereof, such metering shall be used for the purpose of determining sewer user charges under this subsection. If any contributor fails to provide such metering of water or fails to maintain any such meters in satisfactory operating condition or refuses access to the same by representatives of the City, or if the Director does not approve the adequacy or method of metering, the Director either:

- a. Shall cause sewage service to such premises to be terminated; or
- b. Shall cause an estimate to be made of quantities of water consumed on such premises, in which case sewer user charges shall be made in accordance with such estimate.

3. All charges will be assessed on a minimum strength of waste equivalent to domestic strength sewage. Discharges of less than domestic strength concentration will not be credited. (Ord. 2011-0739; S-39109, 1979).

### 13.08.050 Billing.

1. Contributors shall be billed on the basis of the following criteria:

- a. Charges to domestic strength and domestic-commercial users shall be established on the basis of individual water usage, as determined through water meter readings, with charges calculated at a constant commodity rate in addition to the fixed costs for meter reading and billing, and for meter maintenance costs of city-owned water meters.
- b. Minimum charges for each size of meter employed shall be continued as the initial charge to each domestic-commercial user, to cover the fixed costs referred to above, and with the allowable water usage under such minimum bills to be the same as provided for under minimum bills for the sale of water, but with the charge for such usage calculated at the constant commodity rate established for domestic-commercial water usage.
- c. The sewer use charge for residential users billed quarterly shall be the same for each of the four quarters of the calendar year, and shall be determined by quarterly water usage as shown by water meter readings taken in January, February or March of each calendar year, and that the sewer use charge for residential contributors billed monthly be the same for each month of the calendar year, and shall be determined by the average monthly water usage as shown by water meter readings taken in January, February and March of each calendar year.
- d. The City will review water usage and billings, for either quarterly or monthly billed users; in cases where water usage as shown by meter readings is less than the established winter quarter consumption, the actual consumption will be used in calculating sewer charges for that billing period only.

2. Industrial user shall be billed on the basis of the following criteria:

- a. Charges to major industrial users for the delivery systems and treatment shall be established on the basis of applicable costs of operation, maintenance, and replacements of the delivery systems and the waste water treatment plant. Charges for the collection system shall be established on the basis of 60% of applicable costs of operation, maintenance, and replacement of the collection systems. Monthly flow units shall be calculated from readings of individual industrial owned flow meters.
- b. The City will apply a tiered billing system to industrial discharges, based on monthly average loadings of BOD, TSS and FOG. These averages are calculated from laboratory analyses of individual wastewater samples. Individual industry charges shall be based upon usage; monthly flows applied against concentration:
  - (1) Discharges less than domestic strength shall incur no additional charge.
  - (2) Tier 1 - shall be discharges above domestic strength but below calculated influent threshold, which will be charged at an applicable rate for extra strength discharges.
  - (3) Tier 2 - shall be discharges in excess of calculated influent threshold, which will be charged at two times the applicable rate for surcharge strength discharges.
- c. Volume charges shall be determined by rate analysis.
- d. In addition, industrial users shall also be charged the costs of billing, sample collection and sample testing. Charges shall include, but not be limited to, the actual cost of travel, labor, chemicals, equipment replacement and other charges resulting from the sampling and testing of the wastes of the industry.
- e. City shall coordinate the calibration of flow monitoring equipment twice per year at six month intervals. Payment for this service shall be included in the monthly sampling fee.

3. Charges to the outside municipalities for wastewater flow have been established through individually negotiated contracts. Under these contracts, the charges are calculated on the same basis as is employed for Sioux City domestic strength, domestic-commercial, and significant industrial users, for operation and maintenance of the delivery system and treatment facilities, including replacements, and billing charges for the number of bills rendered as taken from the Sioux City trial rate schedule, and for capital charges. In addition, there shall be added a seven-percent service charge, applied to the costs for treatment facilities only, to offset the costs for other Departmental services provided, but not billed to the treatment works, including administrative, engineering and public safety services, etc. (Ord. 2011-0739; 90/T-8973; 89/T-7415; S-43358, 1981; S-39109, 1979).

### 13.08.060 User charges.

1. The user charge plan is incorporated in its entirety as a methodology for allocation of costs, assessment of charges and apportionment of revenues. The calculated unit charges for domestic and/or domestic-commercial users shall be in accordance with the user charge plan with the following rate schedule:

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a. For all consumption under 200 cubic feet the following rates apply:

Effective July 1, 2011	<u>Meter Size</u>	<u>Minimum Charge per month</u>
	5/8 inch	\$10.63
	5/8 x 3/4 inch	\$10.63
	3/4 inch	\$10.63
	1 inch	\$16.80
	1 1/2 inch	\$24.42
	2 inches	\$39.48
	3 inches	\$65.84
	4 inches	\$122.31
	6 inches	\$218.11
	8 inches	\$387.94
	10 inches	\$599.88

b. For all consumption over 200 cubic feet the following charges apply per 100 cubic feet in excess of the above rates:

Effective July 1, 2011      \$3.985

2. Industrial users shall be charged in accordance with the following rate schedule:

<u>Flow</u>	<u>Per 1000 Gallons</u>	<u>Direct Discharge Rate per 1000 Gallons</u>	
Effective July 1, 2011	\$2.397	\$1.775	
TSS	Domestic Strength	Tier 1	Tier 2
	< 300 mg/L	301-1200 mg/L	> 1200mg/L
Effective July 1, 2011	\$0.000	\$0.098	\$0.196
BOD	Domestic Strength	Tier 1	Tier 2
	<250 mg/L	251-2000 mg/L	> 2000 mg/L
Effective July 1, 2011	\$0.000	\$0.239	\$0.478
FOG	Domestic Strength	Tier 1	Tier 2
	<100 mg/L	101-400 mg/L	> 400 mg/L
Effective July 1, 2011	\$0.000	\$0.165	\$0.330

3. Subject to prior approval of the Director, the following supplemental billing provision applies to industrial users that have achieved a sustained discharge concentration of TSS below the applicable tiered threshold listed previously in this chapter, yet have concentrations of BOD that exceed Surcharge Strength:

a. The program will be subject to the following eligibility requirements.

(1) An industrial user will be eligible for two levels of reduction based upon the discharge concentrations of TSS:

(2) The first level of reduction will correspond to TSS levels which are held below the Surcharge Strength threshold.

(3) The second level of reduction will correspond to TSS levels which are held below the Extra Strength threshold.



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(A) To be eligible for this supplemental billing provision an industrial user must achieve a sustained and consistent discharge concentration of TSS below the tiered threshold listed previously in this chapter for a period of 12 months.

(B) An industrial user will forfeit eligibility at the qualifying level if their monthly average TSS discharge concentration exceeds the applicable threshold, in any two months during a rolling twelve month period. Forfeiting eligibility does not disqualify an industrial user for participation at another program level, or from achieving eligibility after another 12 month qualification period.

(C) An industrial user must request, in writing to the Director, to be considered for this supplemental program. No industrial user will be included without a written request.

(D) In no case will the provisions of this program be retroactively applied unless authorized by the Director.

(E) These eligibility requirements serve as a guideline for program qualification and may be waived at the discretion of Director. In order for the Director to consider a waiver, an industrial user is required to provide documentation which presents a proposal which includes timeframes for program improvements which will provide adequate treatment of TSS discharges from the facility.

(F) In the event that the eligibility requirements are waived and the industrial user fails to meet the proposed TSS reduction goals within the agreed upon timeframe, the facility will be billed for all fees which were not charged as part of the supplemental program, for the entire period in which the fees were waived.

b. The supplemental provision will consider a lowered BOD rate for industrial user dischargers which have met the eligibility requirements of the program. The lowered rates will be applied in the following manner:

(1) An industrial user that consistently achieves TSS discharge concentrations between Extra Strength and Surcharge Strength levels, as described previously in this chapter, will be charged a BOD rate of 1.5 times the Extra Strength rate for BOD discharge concentrations over the Surcharge Strength threshold. All other normal billing provisions apply regarding other pollutants and BOD discharge concentrations below the Surcharge Strength threshold.

(2) An industrial user that consistently achieves TSS discharge concentrations below domestic strength will be charged the Extra Strength rate for all BOD discharge concentrations over domestic strength. All other normal billing provisions apply regarding other pollutants.

### c. Industrial user ineligibility

(1) An industrial user which has had a formal request for waiver of eligibility denied or an industry which has become ineligible due to TSS discharges which exceed the eligibility requirements will be notified in writing by the Director of the ineligibility in advance of the billing period for which the ineligibility will apply.

4. Contributors identified as Industrial Users shall be required to pay a permit and the cost for sampling and analysis.

### a. Permit fees shall be based on the following schedule:

(1) Significant industrial users shall pay a permit fee of \$500.00 per month.

(2) Categorical industrial users shall pay a permit fee of \$500.00 per reporting period.

(3) Industrial users shall pay a permit fee of \$250.00 per month.

(4) Groundwater remediation contributors shall pay a permit fee of \$500.00 per year.

b. Conventional pollutants, TSS, BOD and FOG, will be sampled and analyzed by the City for \$75.00 per sample. All other analysis shall be dependent upon permit requirement and cost for analysis.

(1) Significant industrial users shall be sampled once per week.

(2) Categorical industrial users shall be sample in accordance to permit requirements.

(3) Industrial users shall be sampled once per month.

(4) Groundwater remediation contributors shall be sampled in accordance to permit requirements.

5. Unit charges for outside municipalities shall be in accordance with the following rate schedule:

<u>Outside Municipality</u>	<u>Per 1000 Gallons</u>
Effective July 1, 2011	\$2.097

6. Unit charges for outside improvement districts shall be in accordance with the following rate schedule:

<u>Outside Improvement District</u>	<u>Per 1000 Gallons</u>
Effective July 1, 2011	\$2.870

7. Subject to prior approval of the Director and receipt of a permit, waste haulers may discharge septic tank waste at the waste water treatment facility. Haulers are also required to obtain a State of Iowa Septic Hauler License. The charges for discharge shall be in accordance with the following rate schedule:

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<u>Septic Hauler Fee</u>	<u>Per Load Discharged</u>
Effective July 1, 2015	\$33.00

8. Subject to prior approval of the Director and receipt of a permit, Waste Haulers may haul wastewater for discharge at the waste water treatment plant. Each load shall be sampled and accompanied by a Chain of Custody, which must be signed by the generator of the waste. If the waste is discharged through the headworks, normal industrial rates apply. If the discharge is directly injected into the digesters the charges for discharge shall be in accordance with the following direct injection rate schedule, which will be invoiced to the generator:

<u>Direct Injection</u>	<u>Per lbs of Solids Discharged</u>
Effective July 1, 2011	\$0.129

(Ord. 2015-0447; 2013-0081; 2012-0257; 2011-0739; 2009-0500; 2007-0407; 2007-0362; 2006-0485; 2003-0731; 2000-9673; 95/U-3285; 93/U-1104; 91/T-9920)

**13.08.065 Repealed.** (Ord. 2011-0739; 2009-0500; 2007-0362; 2006-0485; 99-7612; 93/U-1411; 93/U-1104; 90/U-9329)

### **13.08.070 Special rates and charges.**

1. Where a major portion of water used or consumed on the premises of a contributor engaged in commercial or industrial activities is not discharged into the sanitary sewer system, the Director may establish a special sewer user charge for such property based on the estimated quantity of water, sewage and waste discharged into the sanitary sewer system, or the contributor may, at its own expense, provide for the separate measurement of water used but not discharged into the sanitary sewer system, in which case, if the Director shall find the manner of segregation and measurement of such water to be satisfactory, the quantities of water so determined shall be deducted from the total quantity of water used or consumed on the premises in determining the sewer user charge.

2. Residential consumers of water shall not be charged a sewer user charge for water passing through a separate meter, the type and installation of which shall be approved by the Director, and purchased and installed at the consumer's expense, when the meter shall be connected to outside taps for the purpose of lawn sprinklers or for the operation of air conditioners when such water is not discharged through or into the sanitary sewer system.

3. The rate charged for domestic-commercial and industrial-commercial meter maintenance shall be assessed in terms of equivalent five-eighths-inch meters in accordance with the domestic-commercial rate schedule presented in Section 13.08.060. All other users except outside municipalities and major industrial users requiring monitoring and metering will be assessed the costs of billing, sample collection, sample analysis, and maintenance or repair on metering and monitoring equipment which shall be conducted by the city or the city's agent. Charges shall include, but not be limited to, the actual cost of travel, labor, chemicals, equipment replacement and other charges directly accountable to the work.

4. Subject to prior approval of the Director and receipt of a permit, wastewater discharge resulting from groundwater remediation sites involving ground water or soil contamination may be discharged to the WWTP for treatment and disposal at the following rate structure:

<u>Groundwater Remediation</u>	<u>Per Gallon Discharged</u>
Effective July 1, 2011	\$0.024

(Ord. 2011-0739; 2009-0500; 2007-0362; 2006-0485; 99-7612; 91/T-9920)

### **13.08.080 Annual review.**

1. The user charge ordinance, as adopted, shall be reviewed annually to determine the wastewater contribution of various classes of users, the total costs of operation and maintenance of the treatment works, and its approved user charge system, and annually revise the user charge rates for various classes of users in order to accomplish the following:

a. Maintenance proportional distribution of operation and maintenance costs among users or user classes, and generate sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance (including replacement) of the treatment works;

b. Apply any excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year and adjust the rate accordingly.

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2. Each user shall be notified, at least annually, in a regular bill, of the rate and that portion of the user charge which is attributable to the costs of operation, maintenance, and replacements of the treatment works. Annually, the city shall meet with the outside municipalities at least thirty days in advance of the implementation of the user charge ordinance.

(Ord. 2011-0739; 2010-0432; 2009-0500; 2007-0362; 2006-0485; 2004-0093; 88/T-6122; 83/T-1819)

**13.08.090 Violation - Penalty.** Any contributor found in violation of this chapter constitutes a municipal infraction and is punishable according to the provisions of Section 1.04.100 of this code. Violations include but are not limited to the following:

1. Any discharge that the Director determines has caused, alone or in combination with other discharges, interference or pass through, which endangers the health of the sewage treatment personnel or the public, or impairs the efficient operation of the City's WWTP,

2. Slug discharges,

3. Any contributor responsible for the dilution or bypass of any wastestream in lieu of adequate treatment, or

4. Any other prohibited discharges or general violations of this Chapter or state and/or Federal code.

(Ord. 2015-0447; 2011-0739; 2009-0500; 2007-0362, 2006-0485, 99-7612, 91/T-9920)

**13.08.100 Repealed** (Ord. 2011-0739; S-39109, 1979).

**13.08.110 Repealed** (Ord. 2011-0739; S-39109, 1979).

**13.08.120 Repealed.** (Ord. 2011-0739; S-39109, 1979).